

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

WILLIAM WHITE, JR.,

Petitioner,

v.

Civil Action No. 3:23cv637

**DIRECTOR OF THE VIRGINIA
DEPARTMENT OF CORRECTIONS,**

Respondent.

MEMORANDUM OPINION


William White, Jr., a Virginia inmate has filed a petition pursuant to 28 U.S.C. § 2254 (“§ 2254 Petition”) challenging his convictions in the Circuit Court of Greensville County for first degree murder and assault and battery of a state trooper. The Court previously denied a 28 U.S.C. § 2254 petition by White challenging these convictions. *White v. Virginia*, No. 3:07CV708, 2008 WL 3851170, at *1–4 (E.D. Va. Aug. 12, 2008).

The Antiterrorism and Effective Death Penalty Act of 1996 restricted the jurisdiction of the district courts to hear second or successive applications for federal habeas corpus relief by prisoners attacking the validity of their convictions and sentences by establishing a “gatekeeping mechanism.” *Felker v. Turpin*, 518 U.S. 651, 657 (1996) (internal quotation marks omitted). Specifically, “[b]efore a second or successive application permitted by this section is filed in the district court, the applicant shall move in the appropriate court of appeals for an order authorizing the district court to consider the application.” 28 U.S.C. § 2244(b)(3)(A).

The Court has not received authorization from the United States Court of Appeals for the Fourth Circuit to entertain White's current 28 U.S.C. § 2254 petition. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE for lack of jurisdiction. A certificate of appealability will be DENIED.

An appropriate Final Order will accompany this Memorandum Opinion.

Date: 10/27/2023
Richmond, Virginia

/s/ 
M. Hannah Lauck
United States District Judge